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To: Department of Homeland Security
U.S. Coast Guard

**Reference: Docket No. USCG-2010-0164
National Boating Safety Advisory Council**

**Subject: Reconsideration of USCG 2001-10163 Federal Requirements for
Propeller Injury Avoidance Measures (Houseboats)**

Please distribute this document to the Council members.

Thank you for the opportunity to comment.

NBSAC94 minutes mentioned the possible reconsideration of USCG-2001-10163 and NBSAC95 advance materials included the 2007 announcement of its withdrawal.

I spent over 500 hours investigating the houseboat propeller injury avoidance proposal, its 2007 rejection, and errors made during that rejection. My findings were documented in a lengthy report supplied to USCG and filed in the public docket. I personally placed copies on the review table at NBSAC83 in Orlando (2009), plus I brought up the importance of reviewing the rejection of 10163 based on my findings from the floor of NBSAC83 (see page 49 of the minutes). I never received an official response from the Coast Guard, NMMA, NBSAC, or the Houseboat Industry Association.

The report (attached) details in depth many mistakes and errors leading to the October 2007 rejection of 10163 based on lack of economic justification and threats made by the Small Business Administration (SBA) Office of Advocacy.

It only takes three pages of the attached report (page 2, page 3, and page 4) to prove the grounds used to dismiss the proposal were inconsistent with the facts.

USCG-2001-10163 was economically justified based on the industry's own cost data. SBA's threats were groundless because SBA's own calculations included at least 15 major errors, including using the wrong data set.

We urge NBSAC to respond to the claims made on Page 2, Page 3, and Page 4 of the attached report in the context of the time in which it was written. Once that is done, then relook at the current situation. It is hard to move forward when the errors of the past are cited as facts, drowning out all other voices.

As to the current situation, once the report has been responded to we suggest the following steps related to houseboat propeller safety:

1. Focus any future discussions and regulatory efforts on rental non-planning houseboats. Rental houseboats have many more propeller accidents per vessel than nonrentals. Rental houseboats are used more days per year, more people are onboard, a party environment exists at several rental houseboat lakes, alcohol consumption is often a major feature of the trip, operators are often novices at operating houseboats, rental training may be lacking, houseboats at raft-ups are especially exposed to lots of people in the water, boater fatigue is a factor made worse by pre-rental travel to the lake, and rental houseboats have a long half life, meaning modern safety features take a long time to work their way into the fleet.
2. Survey the status of propeller safety related warnings at the helm and stern of rental houseboats in the fleet. Photograph their presence, size, content, and location.
3. Conduct a mystery shopper survey of houseboat rental operations observing rental orientation and operator training of those on board (not just with the designated operator) with respect to propeller safety. (others often operate the vessel and all are at risk to propeller safety issues)
4. Rental houseboat operators have minimal situational awareness of the stern from the helm. Backup cameras with a remote display at the lower helm could remind them.
5. Increase houseboat rental operations awareness of the USCG rental houseboat training kit prototyped in 2008. The check sheets and flip chart are at:
http://rentalboatsafety.com/files/pdfs/USCG_Vessel_Checklist_Houseboat.pdf
http://rentalboatsafety.com/files/pdfs/USCG_Training_Package_FlipCharts.pdf
6. Make the location of the marine drive(s), its propeller, and the proximity of the propeller(s) to the swim ladder more obvious to rental patrons.
7. Encourage moving swim ladders further from the propeller on new houseboats.
8. Cage type propeller guards are part of the solution to rental houseboat propeller safety issues at some facilities. However guards are so polarizing to the conversation their very mention precludes the discussion of alternatives. If a notice of proposed regulation promulgating the use of guards on rental houseboats was to be issued, we suggest it be issued separately from any other proposed actions regarding houseboat propeller safety. Otherwise the discussion of guards drowns out the conversation and stalls real action like it did last time.

While many houseboat rental operations seem oblivious to propeller safety issues, we commend Bruce Rowe for his efforts at Forever Resorts and his many years of service with NBSAC.

Gary Polson